

- 33-055 Sulfur Contents of Fuels (8-2-72)
- 33-060 Board Products Industries (8-2-72)
- 33-065 Charcoal Producing Plants (5-15-79)
- 33-070 Kraft Pulp Mills (9-14-82)

Title 36 Rules for Open Outdoor Burning (1-30-80)

Title 42 Rules of Practice and Procedure—Hearing Procedure (6-29-79)

Title 44 Rules of Practice and Procedure (6-29-79)

Title 45 Rules of Practice and Procedure—Decision and Appeal (6-29-79)

Title 51 Air Pollution Emergencies

- 51-005 Introduction (8-2-72)
- 51-010 Episode Criteria (8-2-72)
- 51-015 Emission Reduction Plans (8-2-72)
- 51-020 Preplanned Abatement Strategies (8-2-72)
- 51-025 Implementation (8-2-72)
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4. Control Strategies for Nonattainment Areas (1-86)

- 4.1 Portland-Vancouver AQMA—Total Suspended Particulate (12-19-80)
- 4.2 Portland-Vancouver AQMA—Carbon Monoxide (7-16-82)
- 4.3 Portland-Vancouver AQMA—Ozone (7-16-82)
- 4.4 Salem Nonattainment Area—Carbon Monoxide (7-79)
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- 4.6 Eugene-Springfield AQMA—Total Suspended Particulate (1-30-81)
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- 4.8 Medford-Ashland AQMA—Ozone (1-85)
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- 4.10 Medford-Ashland AQMA—Particulate Matter (4-83)
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5. Control Strategies for Attainment and Nonattainment Areas (1-86)

- 5.1 Statewide Control Strategies for Lead (1-83)
- 5.2 Visibility Protection Plan (10-24-86)
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6. Ambient Air Quality Monitoring Program

- 6.1 Air Monitoring Network (1-86)
- 6.2 Data Handling and Analysis Procedures (1-86)
- 6.3 Episode Monitoring (1-86)

7. Emergency Action Plan (1-86)

8. Public Involvement (1-86)

9. Plan Revisions and Reporting (1-86)

- OAR Chapter 629-43-043 Smoke Management Plan Administrative Rule (12-12-86)

- Directive 1-4-1-601 Operational Guidance for the Oregon Smoke Management Program (12-86)

4. Section 52.1970 is amended by

revising paragraph (c)(65) to read as follows:

§ 52.1970 Identification of plan.

(c) * * * * *

(65) On October 26, 1983 and December 14, 1983, the State of Oregon Department of Environmental Quality submitted four separate revisions to their plan. On October 26, 1983, the State submitted a revised air emergency episode plan (OAR 340-27-005 through 340-27-030 (effective October 7, 1983), revisions to gasoline marketing rules for the Medford-Ashland ozone nonattainment area (OAR 340-22-110(1)(a), effective October 7, 1983, and a revised ozone ambient air quality standard for the Lane Regional Air Pollution Authority (Section 31-035 Ozone, effective July 12, 1983). On December 14, 1983, the State submitted revisions to the automobile inspection and maintenance program for Portland (OAR 340-24-306 through 340-24-350, effective November 18, 1983). EPA is also approving OAR 340-27-035 which requires an "operation and maintenance manual" for administering the provisions of the Emergency Episode Plan (effective October 7, 1983).

[FR Doc. 92-19322 Filed 8-18-92; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 180

[PP 4E3060/R1157; FRL-4079-7]

RIN 2070-AB78

Pesticide Tolerances for 2,4-D

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This document establishes a tolerance for residues of the herbicide 2,4-dichlorophenoxyacetic acid (referred to in this document as 2,4-D) in or on the raw agricultural commodity soybeans. The regulation to establish a maximum permissible level for residues of the herbicide in or on soybeans was requested in a petition submitted by the Interregional Research Project No. 4 (IR-4).

EFFECTIVE DATE: This regulation becomes effective August 19, 1992.

ADDRESSES: Written objections, identified by the document control number, [PP 4E3060/R1157], may be submitted to: Hearing Clerk (A-110), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: By mail: Hoyt L. Jamerson, Emergency Response and Minor Use Section (H-7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 716, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703)-305-5310.

SUPPLEMENTARY INFORMATION: In the Federal Register of June 10, 1992 (57 FR 24566), EPA issued a proposed rule that gave notice that the Interregional Research Project No. 4 (IR-4), New Jersey Agricultural Experiment Station, P.O. Box 231, Rutgers University, New Brunswick, NJ 08903, had submitted pesticide petition 4E3060 to EPA on behalf of the Agricultural Experiment Stations of Illinois, Iowa, Ohio, and South Dakota. The petition requested that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(e)), establish a tolerance for residues of the herbicide 2,4-D in or on the raw agricultural commodity soybeans at 0.1 part per million (ppm). The Agency proposed to establish the requested tolerance with an expiration date of December 1995. Conditional registrations will be issued for 2,4-D ester and 2,4-D amine formulations concurrent with the establishment of this tolerance to control susceptible broad-leaf weeds prior to planting soybeans under no-tillage or reduced-tillage production. As a condition of registration, EPA is requiring the submission of certain additional studies described in the proposed rule.

There were no comments or requests for referral to an advisory committee received in response to the proposed rule.

The data submitted in the petition and other relevant material have been evaluated and discussed in the proposed rule. Based on the data and information considered, the Agency concludes that the tolerance will protect the public health. Therefore, the tolerance is established as set forth below.

Any person adversely affected by this regulation may, within 30 days after publication of this document in the Federal Register, file written objections with the Hearing Clerk, at the address given above (40 CFR 178.20). The objections submitted must specify the provisions of the regulation deemed objectionable and the grounds for the objections (40 CFR 178.25). Each objection must be accompanied by the fee prescribed by 40 CFR 180.33(i). If a

hearing is requested, the objections must include a statement of the factual issue(s) on which a hearing is requested, the requestor's contentions on such issues, and a summary of any evidence relied upon by the objector (40 CFR 178.27). A request for a hearing will be granted if the Administrator determines that the material submitted shows the following: There is a genuine and substantial issue of fact; there is a reasonable possibility that available evidence identified by the requestor would, if established, resolve one or more of such issues in favor of the requestor, taking into account uncontested claims or facts to the contrary; and resolution of the factual issue(s) in the manner sought by the requestor would be adequate to justify the action requested (40 CFR 178.32).

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the *Federal Register* of May 4, 1981 (46 FR 24950).

List of Subjects in 40 CFR Part 180

Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: July 30, 1992.

Douglas D. Campt,

Director, Office of Pesticide Programs.

Therefore, 40 CFR part 180 is amended as follows:

PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 346a and 371.

2. In § 180.142, by adding new paragraph (k), to read as follows:

§ 180.142 2,4-D; tolerances for residues.

(k) A tolerance that expires on December 1995 is established for residues of the herbicide 2,4-D (2,4-dichlorophenoxyacetic acid) resulting from the preplant use of 2,4-D ester or amine in or on the raw agricultural commodity as follows:

Commodity	Parts per million
Soybeans	0.1

[FR Doc. 92-19653 Filed 8-18-92; 8:45 am]

BILLING CODE 6560-50-F

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Parts 5460 and 5470

[WO-230-02-6310-24 1A; Circular No. 2639]

RIN 1004-AB56

Sales Administration; Contract Modification, Extension, Assignment

AGENCY: Bureau of Land Management, Interior.

ACTION: Final rule.

SUMMARY: This final rule amends provisions of regulations on sales administration and contract modification, extension, and assignment. These regulations are being amended to provide more fairness and flexibility in granting timber sale contract extensions when unusual circumstances beyond the control of a purchaser prevent completion of the contract by its expiration date. The rule provides the contracting officer authority to extend the time for cutting and removal on timber sale contracts without reappraisal in some specific situations. The rule is needed because government actions have prevented some contractors from timely completion of contracts, and requiring such contractors to pay higher, reappraised prices when delays were occasioned by the government itself is unfair.

EFFECTIVE DATE: July 23, 1991.

ADDRESSES: Suggestions or inquiries should be sent to: Director (230), Bureau of Land Management, 1849 C Street, NW., Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Bob Bierer, (202) 653-8864.

SUPPLEMENTARY INFORMATION: The Department of the Interior has determined that the existing regulations on timber sale contract extensions are not flexible enough to deal with certain situations. The average length of timber sale contracts has decreased and the average size of timber sales has increased. Also, there are many factors outside the control of timber purchasers that limit the operating time on a contract. These include court injunctions, weather conditions, fire

closures, and actions taken by the Federal Government to protect cultural and biological resources. Under the current regulations, there are no provisions that extend timber sale contracts without reappraisal, when delays are caused by any of the above factors. This final rule is intended to provide more fairness and flexibility in granting timber sale contract extensions, by providing for granting of extensions without reappraisal in certain circumstances.

The Bureau published a proposed rule on July 3, 1990 (55 FR 27477). After the proposed rule was published the northern spotted owl was listed under the Endangered Species Act. This listing has made it necessary for the BLM to stop or delay operations on many ongoing timber sale contracts while conferences with the Fish and Wildlife Service were held to determine what impact on the spotted owl these sales might have. These delays in some cases may make it impossible for the purchaser to complete the contracts in time for cutting and removal specified in the timber sale contract. Under the existing regulations, the BLM could not extend the time for cutting and removal on these contracts without reappraisal. There has been a rapidly rising market for stumpage in the last two years. Therefore, reappraisal of these timber sale contracts would cause the price for the timber to increase significantly. In effect, the purchaser would be penalized for not completing the contracts on time when completion was prevented by the Government. This is not a fair way to deal with the BLM's timber sale purchasers. To pursue such a course would result in much litigation between the BLM and timber sale purchasers.

Because of the additional delay resulting from the spotted owl listing and public comments received on the proposed rule, the BLM expanded the proposed rule to address other delays caused by actions of the Federal Government. A republished rule was issued to allow the public an opportunity to comment on the changes from the original proposed rule. The republished rule was published in the *Federal Register* on June 25, 1991 (56 FR 28850). The comment period was limited to 10 days because several timber contracts were scheduled to expire and performance had been impossible through no fault of the timber purchasers. Some comments on the republished rule indicated that they believed more time was needed for public review and comment. Because of the need to extend timber contracts that would expire between July 22 and

September 30, 1991, and to prevent penalizing purchasers for circumstances caused by the Federal Government, an interim rule was issued to take effect upon publication but allow an additional 60 days to comment after the effective date.

An interim rule was published on July 23, 1991 (56 FR 33830) with a request for comments. The comment period expired on September 23, 1991. The BLM received two letters containing comments on the interim rule. One letter was from an association and the other was from a law firm. The specific comments contained in these letters and responses to the comments are listed below:

1. A comment suggested that the rule should allow extensions that exceed one year in length. Natural catastrophes and disasters to manufacturing facilities may warrant extensions in excess of one year. The rule does provide for additional extensions upon written request by the purchaser. If, after a one year extension, a purchaser still needs more time, such purchaser may apply for an additional extension. This provision is found in the last sentence of § 5473.4(a).

2. A comment suggested that the final rule should include the possibility of delays occasioned by requests from State or local governments and elected officials. A similar comment suggested that an additional paragraph be added to subsection 5473.4(c) to cover unspecified direct interruptions in operations caused by government entities other than the Federal Government. Another comment suggested that § 5473.4(c)(5) should include closures by local agencies for any reason, in addition to fire, as justification for contract extension without reappraisal. It is unlikely that any delay, other than for fire closures, in harvesting timber from Federal lands would be requested or caused by State or local governments or elected officials. This suggestion was not adopted.

3. A comment suggested that, in cases of delays caused by the Government, the BLM should keep track of the lost time and should automatically award extensions. The mere fact that there is a delay caused by the Government does not necessarily mean that an extension of time is needed. There may be more than one delay caused by the Government in the life of the contract and the length of the delay may be very short. Automatic extensions every time there is a delay would cause unwarranted amounts of administrative work for the BLM. This rule is intended to provide a means for allowing additional time in those cases where

there is a compelling need for such additional time. The Purchaser is in the best position to communicate such need to the BLM. This suggestion was not adopted.

4. A comment suggested that purchasers should be allowed extensions to harvest salvage timber from lands under any ownership, not just Federal lands. There is adequate logging capacity—equipment and personnel—operating on State and private lands to meet any need to harvest salvage timber from those ownerships by redirecting logging activities within those ownerships. Such a provision would be difficult for the BLM to administer because it has no control over harvesting activity on State and private lands. The BLM's primary responsibility is for the management of the timber resources on BLM administered lands. This suggestion was not adopted.

5. A comment suggested that the waiver of reappraisal for contract extensions should be extended to cover unusually severe circumstances, including, but not limited to, flood, landslide, or act of God. The comment stated that the interim rule limited remedy for these circumstances to an extension of 30 days and that there are unusual circumstances clearly beyond the purchaser's control that delay operations for periods exceeding 30 days without the fault or negligence of the purchaser. The regulations provide for extensions of up to one year, with provision for additional extension, for all circumstances that are beyond the purchaser's control and without his fault or negligence except market fluctuations. The regulations do require reappraisal at the time of the extension if the delay was not imposed by the United States or any State government agency. The rationale for this provision is that the purchaser should not be entitled to any windfall profits due to a rising market in situations where the Government was not the cause of such delay. The comment also stated that the revenue to the Government would be reduced by requiring the purchaser to consider costs that could result from acts of God at the time of bidding. The risk from acts of God have always been a consideration in bidding on BLM timber sale contracts, and this rule will not make any change in the amount of risk.

6. A comment suggested that the requirement for a showing of a "good faith effort" in § 5473.4(c) is vague. The comment recommended changing the language to "on a showing that the purchaser performed as the average prudent operator would be expected to

perform in a like time period". This comment has merit and the suggested language change was adopted in the final rule.

The final rule published today incorporates many changes suggested in responses to the original proposed rule, the repropounded rule, and the interim rule. Editorial changes have been adopted to make the regulations more clear. The rule provides that an extension may be granted for lost time as a result of: (1) Additional requirements incorporated in contract modifications requested by the Government; (2) delays necessitated by requirements for consultation with FWS under the Endangered Species Act; (3) reviews for cultural resources; (4) court injunctions obtained by parties outside the contract; or (5) fire closures imposed by State agencies. The extensions will provide additional time, during the operating season, equal to time lost as a result of these reasons. The extensions referred to above will be granted without reappraisal.

The rule also provides that short extensions of up to 30 days of operating time may be granted without reappraisal, if the cause for delay in cutting and removal was beyond the purchaser's control and without his fault or negligence.

The principal author of this final rule is Richard Bird of the Division of Forestry, assisted by the staff of the Division of Legislation and Regulatory Management, BLM.

It is hereby determined that this final rule does not constitute a major Federal action significantly affecting the quality of the human environment, and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(c)) is required. The BLM has determined that this final rule is categorically excluded from further environmental review pursuant to 516 Departmental Manual (DM), chapter 2, appendix 1, Item 1.10, and that the rule would not significantly affect the 10 criteria for exceptions listed in 516 DM 2, appendix 2. Pursuant to the Council on Environmental Quality regulations (40 CFR 1508.4) and environmental policies and procedures of the Department of the Interior, "categorical exclusions" means a category of actions which do not individually or cumulatively have a significant effect on the human environment and which have been found to have no such effect in procedures adopted by a Federal agency and for which neither an environmental assessment nor an environmental impact statement is required.

The Department of the Interior has determined under Executive Order 12291 that this document is not a major rule. A major rule is any regulation that is likely to result in an annual effect on the economy of \$100 million or more, a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions, or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets. The total value of BLM timber contracts may approach \$100 million, but the proportion of these that may be subject to extension under this rule is minuscule, and of those that may be subject to extension, most will have been partially performed before the extension is needed. Therefore, the annual effect on the economy will not remotely approach the threshold specified in the Executive Order. There would be no cost increases imposed on the lumber industry, and there would thus be no increases in consumer costs or prices resulting from the rule, and no substantial effects on government agencies or competition. Further, for the same reasons, the Department has determined under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that it will not have a significant economic impact on a substantial number of small entities. The rule does not distinguish between business entities based on their size.

The Department certifies that this final rule does not represent a governmental action capable of interference with constitutionally protected property rights. There will be no private property rights impaired as a result of this rule. Therefore, as required by Executive Order 12630, the Department of the Interior has determined that the rule would not cause a taking of private property.

This rule does not contain information collection requirements that require approval by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

The Department has certified to the Office of Management and Budget that these final regulations meet the applicable standards provided in sections 2(a) and 2(b)(2) of Executive Order 12778.

List of Subjects

43 CFR Part 5460

Forests and forest products,
Government contracts, Public lands.

43 CFR Part 5470

Forests and forest products,
Government contracts, Public lands,
Reporting and recordkeeping
requirements.

For the reasons stated above, under the authorities stated below, parts 5460 and 5470, Group 5400, subchapter E, chapter II of title 43 of the Code of Federal Regulations are amended as set forth below.

Dated: June 25, 1992.
Daniel Talbot,
Deputy Assistant Secretary of the Interior.

PART 5460—SALES ADMINISTRATION

1. The authority citation for part 5460 continues to read as follows:

Authority: Sec. 5, 50 Stat. 875, 61 Stat. 681, as amended, 69 Stat. 367; 43 U.S.C. 1181e, 30 U.S.C. 601 *et seq.*

§ 5463.1 and 5463.2 [Amended]

2. The amendment to § 5463.1 and the removal of § 5463.2 made by the interim rule published on July 23, 1991 (56 FR 33830) is confirmed as final.

PART 5470—CONTRACT MODIFICATION—EXTENSION—ASSIGNMENT

3. The authority citation for part 5470 continues to read as follows:

Authority: 30 U.S.C. 601 *et seq.*; 43 U.S.C. 1181e.

4. Section 5473.1 is revised to read as follows:

§ 5473.1 Application.

In order to be considered, written requests for extension shall be delivered to the appropriate BLM office prior to the expiration of the time for cutting and removal.

5. Section 5473.4 is revised to read as follows:

§ 5473.4 Approval of request.

(a) If the purchaser shows that his delay in cutting or removal was due to causes beyond his control and without his fault or negligence, the contracting officer may grant an extension of time, upon written request by the purchaser. Such extension will not to exceed one year, and will require an appraisal, if the delay was not imposed by the United States or any State government agency as provided by paragraph (c) of this section. Market fluctuations are not cause for consideration of contract extensions. Additional extensions may be granted upon written request by the purchaser.

(b) Notwithstanding the provisions of paragraph (a) of this section requiring

reappraisal if the delay was not imposed by the United States or any State government under paragraph (c) of this section, the contracting officer may grant an extension of time, without reappraisal, not to exceed enough time to provide 30 days of operating time, if the delay was due to causes beyond the purchaser's control and without his fault or negligence. No additional extensions may be granted without reappraisal under the provisions of this paragraph.

(c) On a showing that the purchaser performed as the average prudent operator would be expected to perform in a like time period prior to any delaying event listed in this paragraph, the contracting officer may grant, without reappraisal, an extension of time not to exceed that necessary to provide an additional amount of operating time equal to operating time lost as a result of:

(1) Additional contract requirements incorporated in contract modifications requested by the Government;

(2) Delays necessitated by the requirements for consultation with the U.S. Fish and Wildlife Service under the Endangered Species Act;

(3) Reviews for cultural resource values;

(4) Court injunctions obtained by parties outside the contract; or

(5) Closure of operations by State fire protection agencies due to fire danger.

(d) As used in this section, "operating time" means a period of time during the operating season, and "operating season" means the time of the year in which operations of the type required to complete the contract are normally conducted in the location encompassing the subject timber sale, or the time of the year specified in the timber sale contract when such operations are permitted.

(e) Upon written request of the purchaser, the State Director may extend a contract to harvest green timber to allow that purchaser to harvest as salvage from Federal lands timber that has been damaged by fire or other natural or man-made disaster. The duration of the extension shall not exceed the time necessary to meet the salvage objectives. The State Director may also waive reappraisal for such extension.

6. Section 5473.4-1 is amended by revising paragraph (a) to read as follows:

§ 5473.4-1 Reappraisal.

(a) If an extension is granted under § 5473.4(a), reappraisal by the

contracting officer of the material sold will be in accordance with this section.

[FR Doc. 92-19683 Filed 8-18-92; 8:45 am]
BILLING CODE 4310-84-M

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AB78

Endangered and Threatened Wildlife and Plants; Grizzly Bear; Removal of the Special Rule Allowing a Limited Special Hunt

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule; removal.

SUMMARY: The U.S. Fish and Wildlife Service removes 50 CFR 17.40(b)(1)(E), the special rule that allows take of grizzly bears through a special hunt in northwestern Montana in order to respond to a memorandum opinion of the U.S. District Court.

EFFECTIVE DATE: This rule is effective on August 19, 1992.

ADDRESSES: The complete file for this rule is available for inspection, by appointment, during normal business hours at U.S. Fish and Wildlife Service, NS312, University of Montana, Missoula, Montana 59812.

FOR FURTHER INFORMATION CONTACT: Dr. Christopher Servheen, Grizzly Bear Recovery Coordinator (see **ADDRESSES** above) at telephone (406) 329-3223.

SUPPLEMENTARY INFORMATION:

Background

Restoring an endangered or threatened animal or plant to the point where it is again a secure, self-sustaining member of its ecosystem is a primary goal of the U.S. Fish and Wildlife Service's (Service) Endangered Species Program. The Service may prepare special rules providing for the conservation of threatened species including taking prohibitions. The Service published a Grizzly Bear Special Rule (50 CFR 17.40) in 1975 dealing with limiting the number of grizzly bears killed from all human-related causes. This special rule included authorization of a limited special hunt of grizzly bears in northwestern Montana. A revision of this special rule was published in the *Federal Register* (51 FR 33753) in 1986.

On April 20, 1992, the Service published in the *Federal Register* (57 FR 14378) a proposed rule to further amend the special rule by removing the authorization of the special hunt in Montana, and a notice of intent to

develop a revised special rule consistent with the Memorandum Opinion of the U.S. District Court, District of Columbia, in *The Fund for Animals, Inc. v. Turner*, Civil No. 91-2201(MB) dated September 27, 1991. This opinion declared 50 CFR 17.40(b)(1)(i)(E) to be invalid and enjoined the Service from authorizing the grizzly bear hunt.

Summary of Comments and Recommendations

In the April 20, 1992, proposed rule, all interested parties were requested to submit data or comments on the proposed rule. The comment period closed on May 20, 1992. Press releases were sent to 154 media sources in Montana and Wyoming.

A total of 15 letters of comment on the proposed rule were received. Eight letters expressed opposition to removal of the special hunt authorization and seven letters expressed support for removal of the special hunt authorization. The main issue reiterated in the letters in opposition to the proposed removal was that a regulated hunt would prevent or reduce habituation to people by enforcing the bears' natural wariness of humans. The Service has no substantive data to support or refute this assumption. No other substantive comments were received.

The Service hereby removes 50 CFR 17.40(b)(1)(i)(E) that allows a special hunt of grizzly bears in northwestern Montana. This removal of the authorization of the special hunt in Montana in no way changes the remainder of the Grizzly Bear Special Rule in 50 CFR 17.40(b).

There are no significant changes between the proposed rule published in 57 FR 14378 and this final rule.

National Environmental Policy Act

An environmental assessment, as defined under the authority of the National Environmental Policy Act of 1969, was prepared for the 1986 revision (51 FR 33753) of the Grizzly Bear Special Rule. The elimination of the sport hunt of grizzly bears, which is the result of the removal of 50 CFR 17.40(b)(1)(i)(E), was covered under Alternative D of this environmental assessment. This environmental assessment is available to the public from Dr. Chris Servheen (see **ADDRESSES** above).

Author

The primary author of this notice is Patricia Worthing, Region 6 Recovery Coordinator, U.S. Fish and Wildlife Service, P.O. Box 25486, Denver Federal Center, Denver, Colorado 80225, telephone (303) 236-7398.

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, and Transportation.

Regulation Removal

For the reasons set out in the preamble, part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations is amended as follows:

PART 17—[AMENDED]

1. The authority citation for part 17 continues to read as follows:

Authority: 16 U.S.C. 1361-1407; 16 U.S.C. 1531-1544; 16 U.S.C. 4201-4245; Pub. L. 99-625, 100 Stat. 3500, unless otherwise noted.

§ 17.40 [Amended]

2. § 17.40(b)(1)(i)(E) is removed and reserved.

Dated: July 27, 1992.

Bruce Blanchard,
Acting Director.

[FR Doc. 92-19656 Filed 8-18-92; 8:45 am]
BILLING CODE 4310-55-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration (NOAA)

50 CFR Part 672

[Docket No. 911176-2018]

Groundfish of the Gulf of Alaska

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Modification of closures.

SUMMARY: NMFS is rescinding the closures to directed fishing for Pacific cod in the Central and Eastern Regulatory Areas of the Gulf of Alaska (GOA). This action is necessary to achieve the total allowable catch (TAC) of Pacific cod in these areas.

EFFECTIVE DATE: Effective 12 noon, Alaska local time (A.L.T.), August 17, 1992, through 12 midnight, A.L.T., December 31, 1992. Comments are invited on this action until September 14, 1992.

ADDRESSES: Comments should be sent to Ronald J. Berg, Chief, Fisheries Management Division, Alaska Region, National Marine Fisheries Service, P.O. Box 21668, Juneau, Alaska, 99802-1668, or be delivered to 9109 Mendenhall Mall Road, Federal Building Annex, suite 6, Juneau, Alaska.

FOR FURTHER INFORMATION CONTACT: Patsy A. Bearden, Resource

Management Specialist, Fisheries Management Division, NMFS, 907/586-7228.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the exclusive economic zone within the GOA is managed by the Secretary of Commerce according to the Fishery Management Plan for Groundfish of the GOA (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 620 and 672.

The directed fisheries for Pacific cod in the Central and Eastern Regulatory Areas were previously closed April 3, 1992 (57 FR 11433), and April 8, 1992 (57 FR 11918), respectively.

The Director of the Alaska Region, NMFS, has determined that the TAC of

Pacific cod in the Central and Eastern Regulatory Areas has not been reached. Therefore, in accordance with § 672.22(a)(2)(ii)(D), NMFS is rescinding the previous closures and is reopening directed fishing for Pacific cod in the Central and Eastern Regulatory Areas, effective 12 noon, A.l.t., August 17, 1992, through 12 midnight, A.l.t., December 31, 1992. The public should consult the applicable regulations and closures for restrictions and requirements in this fishery.

Classification

This action is taken under 50 CFR 672.22(a)(2)(ii)(D) and is in compliance with E.O. 12291.

The Assistant Administrator for Fisheries, NOAA, finds for good cause that providing prior notice and public comment or delaying the effective date of this notice is impracticable,

unnecessary, or contrary to the public interest. Without this opening, the remaining TAC in these two areas would not be available for harvest, resulting in negative economic impacts on the fishing industry. Under § 672.22(b)(2), interested persons are invited to submit written comments on this opening to the above address until September 14, 1992.

List of Subjects in 50 CFR Part 672

Fisheries, Reporting and recordkeeping requirements.

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